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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Ex parte DOUG YELKIN and
WEI HUA LI

Appeal 2019-000382
Application 14/262,726
Technology Center 3700

Before CHARLES N. GREENHUT, MICHAEL L. HOELTER, and
JEREMY M. PLENZLER, *Administrative Patent Judges*.

HOELTER, *Administrative Patent Judge*.

DECISION ON APPEAL

STATEMENT OF THE CASE

Pursuant to 35 U.S.C. § 134(a), Appellant¹ appeals from the Examiner's decision to reject claims 1–7, which constitute all the claims pending in this application. We have jurisdiction under 35 U.S.C. § 6(b).

We AFFIRM.

¹ We use the word “Appellant” to refer to “applicant” as defined in 37 C.F.R. § 1.42. We understand the real party in interest is “Doug Yelken.” Appeal Br. 2.

CLAIMED SUBJECT MATTER

The disclosed subject matter relates to “valve control mechanisms and systems used in controlling the transmission of fluids.” Spec. 1.² Claims 1, 5, 6, and 7 are independent. Claim 1, as per Appellant’s last entered claim amendment dated January 18, 2017 (with strike-outs and underlining removed), is representative of the claims on appeal and is reproduced below.³

1. An integral plastic ball valve, said ball valve comprising;
 - (a) a spherical enclosure having a generally cylindrical structure and further having a top surface with a central, circular through-aperture, a circular inner face, a bottom surface, and a barrel opening, said barrel opening having an annular-shaped outer face, said outer face being oriented parallel to the axis of the circular aperture;
 - (b) identical left and right leakage seal rings, each seal ring having a continuous circumferential lip on one side of the ring;
 - (c) a rod-shaped valve stem having a notch on the first end of said stem, a plurality of installed gasket O-rings and a polygonal cross-section on the second end of said valve stem;
 - (d) a valve handle having a cavity corresponding to the notch of said valve stem;
 - (e) a valve ball comprising i) a sphere; ii) a through-hole corresponding to an axis of the valve ball, said through-hole thereby forming a left ball outlet and a right ball outlet, and iii) a topmost polygonal socket with a cross-section corresponding to the second end of said valve stem;
 - (f) an annular-shaped spherical enclosure cap comprising a cap opening corresponding to the right ball outlet;

² Appellant’s Specification lacks paragraph and line numbering. We thus reference Appellant’s Specification via page number only.

³ Note, there is a discrepancy between the above claim 1 and claim 1 replicated in Appellant’s Appeal Brief. The Examiner addresses this discrepancy in the rejection of claim 1 as being indefinite (*see below*).

a circumferential flange constructed about the cap opening; an annular-shaped cap first face on the first side of the spherical enclosure cap, and exterior to said flange; cap second face oriented about the inner perimeter of said flange and having an inner diameter corresponding to the right ball outlet; and said cap first face having an inner and outer diameter corresponding to the outer face of said barrel opening

(g) a sealing gasket having an outer diameter corresponding to the inner diameter of said flange;

(h) a left flow pipe integral to and coaxial with the left ball outlet and a right flow pipe integral to and coaxial with the right ball outlet; and

(i) a valve body housing.

EVIDENCE

Name	Reference	Date
Hennells	US 4,721,289	Jan. 26, 1988
Sakaguchi et al. ("Sakaguchi")	US 4,771,983	Sep. 20, 1988
Daghe et al. ("Daghe")	US 5,102,098	Apr. 7, 1992
Chowdhury	US 6,260,820 B1	July 17, 2001
Guerra	US 2002/0008223 A1	Jan. 24, 2002
Hall	US 2008/0185550 A1	Aug. 7, 2008
Domingues Matos	US 2011/0017932 A1	Jan. 27, 2011
Kreuter	US 2012/0199776 A1	Aug. 9, 2012

REJECTIONS

Claims 1–4 are rejected under 35 U.S.C. § 112(a) as failing to comply with the written description requirement.

Claims 1–4 and 7 are rejected under 35 U.S.C. § 112(b) as being indefinite for failing to particularly point out and distinctly claim the subject matter which the inventor or a joint inventor regards as the invention.

Claims 1–4 are rejected under 35 U.S.C. § 103 as unpatentable over Daghe, Guerra, Chowdhury, and Domingues Matos.

Claims 5 and 7 are rejected under 35 U.S.C. § 103 as unpatentable over Daghe, Guerra, and Chowdhury.

Claim 6 is rejected under 35 U.S.C. § 103 as unpatentable over Daghe and Chowdhury.

Claim 2 is rejected under 35 U.S.C. § 103 as unpatentable over Daghe, Guerra, Chowdhury, Kreuter, and Hall.

Claim 3 is rejected under 35 U.S.C. § 103 as unpatentable over Daghe, Guerra, Chowdhury, Hennells, and Hall.

Claim 4 is rejected under 35 U.S.C. § 103 as unpatentable over Daghe, Guerra, Chowdhury, Sakaguchi, and Hall.

ANALYSIS

The rejection of claims 1–4 as failing to comply with the written description requirement

Addressing independent claim 1 (claims 2–4 depend therefrom), the Examiner focuses upon element (g), and particularly “the limitation ‘a sealing gasket having an *outer* diameter corresponding to the inner diameter of said flange.’” Final Act. 6 (emphasis added). The Examiner notes that Appellant’s Specification “states ‘that the *inner* diameter of the sealing gasket 14 corresponds to the outer circumference of the flange 16.’” Final Act. 6 (referencing Spec. 8) (emphasis added).⁴ Appellant states that the Examiner “is correct” and that “Claim 1 mistakenly reads” “outer” when it

⁴ The Examiner further states that “the claim will be read as disclosed in the specification.” Final Act. 6.

should have correctly read “inner.” Appeal Br. 12. “Applicant requests leave to amend the grammatical error.” Appeal Br. 12. Appellant has not yet amended to correct this error (*see* Ans. 25, no Reply Brief submitted), and as such, we summarily sustain the Examiner’s written description rejection of claims 1–4. *In re Berger*, 279 F.3d 975 (Fed. Cir. 2002) (Affirming the Board’s affirmance of an uncontested rejection, holding that the appellant had waived the right to contest the rejection by not presenting arguments on appeal to the Board); *Hyatt v. Dudas*, 551 F.3d 1307, 1314 (Fed. Cir. 2008) (“the applicant can waive appeal of a ground of rejection”).

*The rejection of claims 1–4 and 7
as being indefinite*

The Examiner addresses element (f) of claim 1, and specifically “the limitation ‘cap second face’ in line 28.” Final Act. 6. The Examiner explains that “[t]here is insufficient antecedent basis for this limitation in the claim.” Final Act. 6. Appellant responds stating “the term ‘cap second face’ has been set forth in the specification and Drawings.” Appeal Br. 12. The Examiner was not seeking where written description support can be found for “cap second face,” as Appellant apparently surmises. Instead, the Examiner is pointing out that “cap second face” lacks antecedent basis, and hence is indefinite. As no further statement by Appellant on this point is forthcoming (*see* Appeal Br. 12), we are not apprised of Examiner error in rejecting claim 1 (and dependent claims 2–4) as being indefinite.

Regarding claim 7 (which is in independent form), the Examiner initially identified three instances where this claim is indefinite (*see* Final Act. 7), but one such instance was subsequently withdrawn (*see* Ans. 25). Regardless, Appellant fails to address the remaining two. *See* Appeal Br.

12–13. The Examiner acknowledges this silence stating, the “112(b) issues . . . have not been addressed in the Appeal Brief.” Ans. 25. We agree that Appellant has not addressed the remaining two issues. Lacking any rebuttal by Appellant to this rejection, we summarily sustain the Examiner’s rejection of claim 7 as being indefinite. *In re Berger, supra*.

*The rejection of claims 1–4 as unpatentable over
Daghe, Guerra, Chowdhury, and Domingues Matos*

Appellant argues claims 1–4 together. See Appeal Br. 13–15. We select claim 1 for review, with the remaining claims (i.e., claims 2–4) standing or falling with claim 1. See 37 C.F.R. § 41.37(c)(1)(iv). We further note that in responding to this rejection, Appellant explains that “[t]he focus of Applicant’s remarks will be on the Daghe reference.” Appeal Br. 13.

The Preamble to claim 1 recites “an integral plastic ball valve” comprising multiple components. Appellant contends, “[t]he entirety of the ball valve of Daghe could not be an integral plastic structure because such structure would render the Daghe valve unsatisfactory for its intended purpose.” Appeal Br. 13. Indeed, the Examiner relies on Daghe for disclosing “an integral plastic ball valve” comprising multiple components (Final Act. 8–9), but Appellant does not indicate where the Examiner asserted that the “entirety” of the valve is an “an integral plastic structure.” The Examiner, however, does identify where Daghe “states that the valve body may be formed of any suitable material, including plastic.” Ans. 26 (referencing Daghe 3:27–39). The Examiner also states that “integral” is defined “as ‘relating to, or belonging as part of the whole,’” and as such “the ball valve of Daghe is integral, as all of the elements function together.”

Ans. 26 (referencing “dictionary.com”). The Federal Circuit has endorsed that interpretation. *See, e.g., Advanced Cardiovascular Sys. v. Scimed Life Sys.*, 887 F.2d 1070, 1074 (Fed. Cir. 1989) (nothing of record limited “integral” to mean “of one-piece” construction). *In re Morris*, 127 F. 3d 1048, 1055-56 (Fed. Cir. 1997).

Appellant does not reply to these findings by the Examiner. Thus, Appellant does not provide evidence or argument that might signify that these findings are incorrect or improper. Accordingly, we are not apprised of Examiner error on this point.

Appellant also addresses the Examiner’s reliance on Daghe for disclosing “spherical enclosure (10).” Appeal Br. 13; *see also* Final Act. 8. Appellant contends that item 10 of Daghe “is actually a ‘valve body’” and “is shown to be a generally cylindrical structure.” Appeal Br. 13 (referencing Daghe 3:30–34, Figs. 1, 2). Appellant also contends that “[t]he Daghe valve body is of much more complex structure and interdependency as compared to Applicant’s simple spherical enclosure.” Appeal Br. 13–14 (referencing Appellant’s figures 2–4 and (correctly) item 4 (not 14) therein).

To be clear, claim 1 recites “a spherical enclosure having a generally cylindrical structure.” Appellant already acknowledges that Daghe’s valve body 10 is “a generally cylindrical structure” and thus we further investigate whether Daghe’s valve body 10 is also a “spherical enclosure” as recited. On this point, the Examiner explains that “[s]ince the valve body of Daghe enclos[es] the spherical ball member, it can be read as a spherical enclosure.” Ans. 26. Appellant does not explain how this logic is flawed or mis-guided, or how this limitation may have been improperly interpreted by the Examiner. Nor does Appellant explain how this understanding differs

from Appellant's own description of item 4 as a "[s]pherical enclosure" even though it is, itself, rather cylindrical in shape. Spec. 4; Figs. 2–4. Further, the degree of complexity (or simplicity) involved is not relevant to the matter at hand, and thus this latter contention by Appellant is moot. Accordingly, Appellant is not persuasive of Examiner error on this point.

Appellant additionally contends that the Examiner erred when defining "the valve chamber **20** of the Daghe device as a 'barrel opening'" and by the Examiner asserting that this chamber 20 "has an 'outer face.'" Appeal Br. 14; *see also* Final Act 8. Appellant contends that "the valve chamber of Daghe is nowhere defined or described as manifesting an 'outer face'" and that "barrel opening" "is an improvised name given by the Examiner." Appeal Br. 14.

Regarding the "improvised name" contention, the Examiner explains that "when examining / rejecting the claims, the prior art reference is described using Applicant's terminology in order to avoid confusion," hence usage of "barrel opening." Ans. 26. Here, the Examiner has identified "valve chamber 20 [as] an open structure [and thus it] is considered a 'barrel opening' since the term 'barrel' has not been given any definition and the opening refers to the opening of the spherical enclosure." Ans. 27.

Regarding "outer face," even presuming this structure "is nowhere defined or described" in Daghe, Daghe's figures clearly illustrate an outer face of the opening into chamber 20. *See, e.g.*, Daghe Figs. 1, 2 and the surfaces adjacent seal 44; *see also* Daghe 4:4–5 ("A resilient seal ring **44** is compressed between fitting **38** and valve body **10**"). In the context of a prior-art rejection, there is nothing improper about relying on subject matter clearly depicted in the figures. *In re Mraz*, 455 F.2d 1069, 1072 (CCPA

1972). Accordingly, Appellant is not persuasive of Examiner error on this point.

Appellant further contends that the structure relied upon in Daghe as disclosing a “spherical enclosure cap (38)” (*see* Final Act. 9) is actually “a fitting” with an open port. Appeal Br. 14. Appellant explains that “mechanically, and functionally, the fitting **38** is not equivalent to the spherical enclosure cap **15** of the Applicant’s ball valve **1**.” Appeal Bar. 14. The Examiner disagrees and justifies this structural correlation stating that “[s]ince [Daghe’s] element 38 closes a portion of the valve chamber 20, and encloses the ball 30, it is regarded as a spherical enclosure cap.”⁵ Ans. 27. The Examiner’s reasoning is compelling (i.e., mechanical and functional correspondence) and Appellant does not further indicate how or why the Examiner might be mistaken on this point. We thus are not persuaded of Examiner error.

Appellant also challenges the Examiner’s finding that “Daghe manifests ‘an annular-shaped cap first face’ and ‘a cap second face.’” Appeal Br. 14; Final Act. 9. Appellant contends that these cap faces “are not compatible with any supposed ‘outer face’ of the valve chamber **20**.” Appeal Br. 15. However, the Examiner, when making these findings referenced the “annotated figure above,” i.e., the Examiner’s annotated figure at page 8 of the Final Office Action. Final Act. 9. Appellant does not explain how the corresponding first and second faces of the cap that have been identified by the Examiner (*see* Final Act. 8) might be in error, or how

⁵ Addressing Daghe’s inclusion of an open port, the Examiner explains that “the claims do not necessitate that the cap completely blocks fluid flow.” Ans. 27.

such cap faces fail to be compatible with the “outer face” of valve chamber 20. *See also* Daghe 4:4–5 (discussing seal ring 44 compressed between fitting 38 and valve body 10).

Accordingly, and based on the record presented, we sustain the Examiner’s rejection of claims 1–4 as being obvious in view of Daghe, Guerra, Chowdhury, and Domingues Matos.

*The rejection of claims 5 and 7
as unpatentable over Daghe, Guerra, and Chowdhury*

Initially addressing only claim 7, Appellant contends the Examiner “erroneously avers that Daghe discloses two leakage seal rings (80), each having a ‘continuous circumferential lip (86) on one side of the ring.’” Appeal Br. 15–16; *see also* Final Act. 12. Appellant explains that Daghe’s corresponding lip 86 is described as “a frusto-spherical surface area” (referencing Daghe 6:6–7), and that this lip shape “is clearly contrary to Applicant’s ‘continuous circumferential lip.’” Appeal Br. 16. Appellant’s contention is mis-guided, however, because the limitation “continuous circumferential lip” addresses where the lip is located (at the circumference) and that it is continuous. Appellant does not explain how Daghe’s lip 86, as depicted in Figure 4 thereof, fails to satisfy this criteria. We thus agree with the Examiner that “[a]s seen in Figure 4, this surface area protrudes from the rest of the seal ring and therefore is a lip.” Ans. 29. We also note that this lip 86 is depicted at the outer circumferential region of annular seal 80, and that this lip is understood to be continuous in order for seal 80 to properly

seal against ball 30. *See* Daghe 6:7–8. We thus are not persuaded of Examiner error on this point.

Apparently now addressing both claims 5 and 7 (Appellant is not abundantly clear), Appellant contends that “Chowdhury requires a necessary supplementary part entitled a ‘seat unit **80**’ be constructed” and that “[t]his differs considerably from Applicant’s simplified process.” Appeal Br. 17. First, the Examiner notes that “the method claims use the transitional phrase ‘comprising’ and therefore can have more steps than claimed.” Ans. 29. The Examiner further states that “Chowdhury is used to teach the steps of injection fusion molding” and that the modification (i.e., the combination of Chowdhury and Daghe) “is molding over the core and housing of Daghe to provide a casing over the entire valve.” Ans. 29. To be clear, both claims 5 and 7 recite “a single application of molten substance, identical to an injection fusion molding process,” and Appellant is not persuasive that Chowdhury fails to teach such a process. *See* Final Act. 15–16. Hence, Appellant’s contention that Chowdhury requires supplemental parts is not persuasive of Examiner error.

Also apparently addressing both claims 5 and 7, Appellant contends that it is not obvious to modify Daghe “to construct Chowdhury’s valve ball [in the manner recited therein] in preparation for injection molding.” Appeal Br. 18. This is because “[t]o make such a modification to Daghe for the purpose of injection fusion molding would nullify and/ or disable the function of the Daghe valve.” Appeal Br. 18. However, as expressed above, the Examiner’s “modification is molding over the core and housing of Daghe to provide a casing over the entire valve.” Ans. 29. The Examiner explains that “[t]he modification is not changing the valve core of Daghe”

because it does not matter if the valve core of Chowdhury is different “as long as there is a valve core and it is being put in a mold and has a housing molded on top of it.” Ans. 29. Appellant does not explain how the Examiner is mistaken on this point.

Accordingly, and based on the record presented, we sustain the Examiner’s rejection of claims 5 and 7 as being obvious in view of Daghe, Guerra, and Chowdhury.

*The rejection of claim 6
as unpatentable over Daghe and Chowdhury*

Independent claim 6 recites, in the preamble, a ball “and a polygonal socket in the outer surface of said ball.” Appellant contends, “there is no polygonal socket at the top of the Daghe valve ball **30**.” Appeal Br. 19. The Examiner specifically references “Col. 3, lines 44–46” of Daghe as disclosing this polygonal feature. Ans. 30. This portion of Daghe states, “[t]he actuator stem terminates in a key-type end **28** of rectangular configuration.” Daghe 3:44–46. The Examiner reasons that “[s]ince a rectangle has four sides, it is a polygon.” Ans. 30. Appellant is not persuasive of Examiner error on this point.

Accordingly, and based on the record presented, we sustain the Examiner’s rejection of claim 6 as being obvious in view of Daghe and Chowdhury.

*The rejection of claim 2 as unpatentable over
Daghe, Guerra, Chowdhury, Kreuter, and Hall*

Appellant repeats the argument addressed above regarding a “spherical enclosure cap (38)” when “item (38) of Daghe is a fitting,” and as

such, “cannot function as a cap.” Appeal Br. 19–20. Appellant’s contention is not persuasive for the reasons expressed above.

Appellant also contends that the “Hall reference does not teach that a spherical enclosure, a spherical enclosure cap, or a valve housing may be constructed of polyethylene.” Appeal Br. 20. Appellant is arguing Hall individually with respect to this limitation, and not as combined with the teachings of Daghe, as expressed by the Examiner. *See* Final Act. 24, 25; Ans. 30. As previously noted, Daghe teaches that “plastic” is a suitable material for ball valve construction. Daghe 3:31–35. The Examiner relies on Hall for teaching “a ball valve in which some of the components are made of polypropylene and polyethylene.” Final Act. 24 (referencing Hall ¶ 60). Paragraph 60 of Hall teaches that conventional polymers “exhibit the characteristics of wear, fracture resistance, and durability that produce the best results when employed as the valve ball element.” More specifically, paragraph 60 of Hall teaches that “polyurethane, polybutadiene, *polyethylene*, and polypropylene polymers exhibit such properties.” Emphasis added.

In view of this disclosure, the Examiner states that “Hall is used to teach a material that is well known in valves” because of such benefits as “fracture resistance and durability.” Ans. 31. Hence, “regarding the materials chosen,” the Examiner states that “the selection of a known material based on its suitability for its intended use support[s] a prima facie obviousness determination.” Ans. 30 (referencing MPEP § 2144.07).

Appellant does not explain how there may be (or is) error in the Examiner’s above analysis. Accordingly, and based on the record presented,

we sustain the Examiner's rejection of claim 2 as being obvious in view of Daghe, Guerra, Chowdhury, Kreuter, and Hall.

*The rejection of claim 3 as unpatentable over
Daghe, Guerra, Chowdhury, Hennells, and Hall*

Appellant contends "that the Hennells and the Andrew Hall reference[s] are not 'analogous art.'" Appeal Br. 21. This is because "[n]either of these references is 'reasonably pertinent to the problem faced by the inventor.'" Appeal Br. 21. Even presuming, for the sake of argument, that Appellant is correct on this point addressing the problem faced, Appellant does not address the alternate prong of the analogous art test, i.e., whether the references are in the same field of endeavor. *See In re Clay*, 966 F.2d 656, 658 (Fed. Cir. 1992). The Examiner addresses this alternative field of endeavor prong, stating "the references are used to teach materials that are well known in the valves for the benefits of limited elasticity and high molecular density." Ans. 31 (citation omitted). To be clear, Hennells' Title addresses valves, as does Hall's. Hence, Appellant fails to explain how these two references fail to pertain to the field of valves, and ball valves in particular.

Accordingly, and based on the record presented, we sustain the Examiner's rejection of claim 3 as being obvious in view of Daghe, Guerra, Chowdhury, Hennells, and Hall.

*The rejection of claim 4 as unpatentable over
Daghe, Guerra, Chowdhury, Sakaguchi, and Hall*

Claim 4, which depends from claim 1, recites various valve components made of "aldehyde acetal," "polypropylene," and "polyethylene." The Examiner relies on the teachings of Hall regarding the

use of polypropylene and polyethylene. *See* Final Act. 26; *see also* the discussion of claim 2 above. Regarding the third compound, “aldehyde acetal,” the Examiner relies on Sakaguchi for teaching “a valve in which some components are made of acetal resin (Col. 3, lines 35–50).” Final Act. 26.

Addressing the Examiner’s further reliance on Sakaguchi, Appellant contends that “[t]his is not a revelation that would suggest any motivation to modify the Daghe reference to arrive at the Applicant’s invention.” Appeal Br. 22. In other words, “the Sakaguchi reference adds no clarity of reasoning as to why modification of the Daghe reference would be suggested.” Appeal Br. 22. However, the Examiner reasoned that it would have been obvious to modify Daghe in the manner stated because “[d]oing so would provide a light, chemical resistant valve stem (Col. 3, lines 35–50), as recognized by Sakaguchi.” Final Act. 26; *see also* Ans. 30. To be clear, Sakaguchi states, “the valve body may be formed by a plastic material, preferably, acetal resin” (Sakaguchi 3:42–44), and it has already been disclosed above that Daghe identifies “plastic” as a suitable construction material.⁶ Daghe 3:31–35. Thus, because of Sakaguchi’s teaching of acetal resin being light in weight and chemical resistant (*see* Sakaguchi 3:43–49), we are not persuaded by Appellant’s contention that “the Sakaguchi reference adds no clarity or reasoning as to why modification of the Daghe reference would be suggested.” Appeal Br. 22.

⁶ We note that like Daghe and the Examiner above (*see* Ans. 30), Sakaguchi also states that “it is preferable to select the material of the valve body so as to meet a use of the valve.” Sakaguchi 3:49–51.

Accordingly, and based on the record presented, we sustain the Examiner's rejection of claim 4 as being obvious in view of Daghe, Guerra, Chowdhury, Sakaguchi, and Hall.

Hindsight

Appellant also presents several arguments (*see* Appeal Br. 22–28) regarding how the Examiner “relies on information gleaned solely from Applicant’s specification and drawings.” Appeal Br. 22. The Examiner explains that so long as the Examiner’s judgement on obviousness “takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant’s disclosure, such a reconstruction is proper.” Ans. 31 (citation omitted). A review of these seven examples presented by Appellant are not persuasive that the Examiner gleaned such information solely from Appellant’s disclosure. Nor are these multiple examples indicative that the Examiner’s judgement (relied upon to combine the various references) failed to include articulated reasoning with rational underpinning which support of the Examiner’s conclusion of obviousness.

Accordingly, and based on the record presented, Appellant’s hindsight contentions that the Examiner’s various combinations of Daghe, Guerra, Chowdhury, Domingues Matos, Kreuter, Hall, Hennells, and Sakaguchi were in error are not instructive of Examiner error.

CONCLUSION

In summary:

Claims Rejected	35 U.S.C. §	Reference(s)/Basis	Affirmed	Reversed
1-4	112(a)	Written Description	1-4	
1-4, 7	112(b)	Indefiniteness	1-4, 7	
1-4	103	Daghe, Guerra, Chowdhury, Domingues Matos	1-4	
5, 7	103	Daghe, Guerra, Chowdhury	5, 7	
6	103	Daghe, Chowdhury	6	
2	103	Daghe, Guerra, Chowdhury, Kreuter, Hall	2	
3	103	Daghe, Guerra, Chowdhury, Hennells, Hall	3	
4	103	Daghe, Guerra, Chowdhury, Sakaguchi, Hall	4	
Overall Outcome			1-7	

No period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a)(1). *See* 37 C.F.R. § 1.136(a)(1)(iv).

AFFIRMED